

REMARKS

The Examiner indicates that the previous non-final rejection dated 01/08/2009 has been “withdrawn,” and that the rejection is now based on the amended claims dated 07/31/2006. The Examiner fails to acknowledge, however, that Applicants have submitted an amendment on 04/08/2009 in response to the 01/08/2009 rejection, which fully address the rejections set forth in the 04/30/2009 office action. The claims set forth above, and the arguments set forth below, represent those set forth in Applicants’ 04/08/2009 response, to which the Examiner has not responded.

Claim 1 has been amended in the 04/08/2009 amendment (and as represented in the present claim set) has been amended to incorporate the features of previous dependent claims 3, 4 and 6, which claims have accordingly been cancelled. Claim 11 has also been cancelled to advance prosecution.

Specification

The Abstract has been changed in the 04/08/2009 amendment to correct the problem noted by the Examiner.

Claim Rejections

Claims 1-3 and 9-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haruta et al. (JP 58-136482). Claim 1 has been amended to include the features of non-rejected dependent claims 4 and 6, and claim 11 has been cancelled, mooted such rejection based on Haruta et al. alone.

Claims 4-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Haruta et al. in view of Iwasa et al. (US 2002/0012786). As to previous claims 4 and 6 (now incorporated into independent claim 1) the Examiner states that Haruta et al. discloses the method of previous claim 1; Iwasa et al. discloses the use of hydrophilic polymer in paragraph [0012], and that the receiver is obtainable by coating a support with a solution comprising a hydrophilic polymer and a blowing agent and causing the blowing agent to generate gas bubbles in the solution causing foaming of said hydrophilic polymer [0053]-[0054]; and that it would have

been obvious to modify the method of Haruta et al with the disclosure of Iwasa et al. in order to provide higher quality images through faster ink drying.

This rejection is respectfully traversed as applied to amended claim 1, as neither of Haruta et al. or Iwasa et al. teach use of a foamed hydrophilic polymer ink-receiving layer obtained by coating a support with a solution comprising a hydrophilic polymer and a blowing agent; and, either prior to or after the step of coating said support, interacting with said solution, to cause said blowing agent to generate gas bubbles within said solution causing foaming of said hydrophilic polymer.

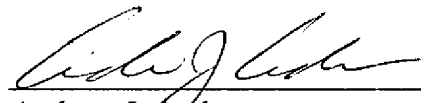
Paragraph [0012] of Iwasa et al. cited by the Examiner discloses that the thermoplastic resin employed therein preferably comprises 5 to 100 weight parts of a hydrophilic thermoplastic resin component per 100 weight parts of a non-hydrophilic resin component. Further, all Examples of Iwasa et al. employ only a minor percentage of hydrophilic polymer. Thus, Iwasa et al. clearly discloses a preference for primarily non-hydrophilic polymer in the porous resin films thereof. Such films accordingly are distinguished from the foamed hydrophilic polymer ink-receiving layer employed in the present invention. Contrary to the preferred mainly non-hydrophilic porous resin films of Iwasa et al., if there were to be a substantial quantity of non-hydrophilic resin within the foamed polymer ink-receiving layer of the present invention (such that it would no longer be a foamed hydrophilic polymer layer), there would initially be less capacity for the absorption of ink making the dry time much slower. Iwasa et al. has apparently potentially avoided this by adding a significant amount of fine particles which could result in some extra porosity, but to provide a system with sufficient porosity in the presence of such fine particle powder, it would be necessary to use a very low level of hydrophilic polymer, which in turn would mean that the dye would have no protection from environmental conditions and the image stability would be significantly reduced. Thus, the present invention as defined in amended claim 1 is distinguished from the combination of Haruta et al. and Iwasa et al. initially on this point.

Further, paragraphs [0053]-[0054] of Iwasa et al. cited by the Examiner, while mentioning foaming methods based on use of a foaming agent, do not appear to teach coating hydrophilic polymers and foaming agents from a solution

as required for the foamed hydrophilic polymer ink-receiving layer employed in the present invention. To the contrary, as the porous resin films of Iwasa et al. preferably comprise primarily non-hydrophilic polymer; such polymers would not be solubilized to form a coating solution. Rather, Iwasa et al. only appears to employ polymer compounding and extruding methods to obtain the films thereof. The present invention is thus further distinguished from the combination of Haruta et al. and Iwasa et al. Moreover, although Iwasa et al. may mention foaming methods in passing in [0054], this is only one of the methods disclosed, with the film stretching method being preferred and used solely in the examples. The skilled artisan would not be motivated therefore to choose a less preferred method of forming porosity and combine it with polymers chosen to provide a foamed hydrophilic polymer layer and then apply heating or pressing with the object of obtaining a porous ink-jet receiver having reduced roughness and increased gloss. It is accordingly clear that the proposed combination of Iwasa et al. and Haruta et al. would fail to result in the present claimed invention, and a prima facie case of obviousness has accordingly not been established. Reconsideration of this rejection is accordingly respectfully requested.

In view of the foregoing remarks and amendment, the claims are now deemed allowable and such favorable action is courteously solicited. Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Andrew J. Anderson", is written over a horizontal line.

Andrew J. Anderson
Attorney for Applicant(s)
Registration No. 33,564

AJA:clb
Rochester, NY 14650
Telephone: (585) 722-9662
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.